UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/51/84
28 February 1997

Fifty-first session
Agenda item 109

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/51/618)]

51/84. Universal realization of the right of peoples to self-determination

The General Assembly,

Reaffirming the importance, for the effective guarantee and observance of human rights, of the universal realization of the right of peoples to self-determination enshrined in the Charter of the United Nations and embodied in the International Covenants on Human Rights,[1] as well as in the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in its resolution 1514 (XV) of 14 December 1960,

Welcoming the progressive exercise of the right to self-determination by peoples under colonial, foreign or alien occupation and their emergence into sovereign statehood and independence,

Deeply concerned at the continuation of acts or threats of foreign military intervention and occupation that are threatening to suppress, or have already suppressed, the right to self-determination of an increasing number of sovereign peoples and nations,

Expressing grave concern that, as a consequence of the persistence of such actions, millions of people have been and are being uprooted from their homes as refugees and displaced persons, and emphasizing the urgent need for concerted international action to alleviate their condition,

Recalling the relevant resolutions regarding the violation of the right of peoples to self-determination and other human rights as a result of foreign

[1] Resolution 2200 A (XXI), annex.

military intervention, aggression and occupation adopted by the Commission on Human Rights at its thirty-sixth,[2] thirty-seventh,[3] thirty-eighth,[4] thirty-ninth,[5] fortieth,[6] forty-first,[7] forty-second,[8] forty-third,[9] forty-fourth,[10] forty-fifth,[11] forty-sixth,[12] forty-seventh,[13] forty-eighth,[14] forty-ninth,[15] fiftieth,[16] fifty-first[17] and fifty-second[18] sessions,

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[2] See Official Records of the Economic and Social Council, 1980, Supplement No. 3 and corrigendum (E/1980/13 and Corr.1), chap. XXVI, sect. A.

[3] Ibid., 1981, Supplement No. 5 and corrigendum (E/1981/25 and Corr.1), chap. XXVIII, sect. A.

[4] Ibid., 1982, Supplement No. 2 and corrigendum (E/1982/12 and Corr.1), chap. XXVI, sect. A.

[5] Ibid., 1983, Supplement No. 3 and corrigendum (E/1983/13 and Corr.1), chap. XXVII, sect. A.

[6] Ibid., 1984, Supplement No. 4 and corrigendum (E/1984/14 and Corr.1), chap. II, sect. A.

[7] Ibid., 1985, Supplement No. 2 (E/1985/22), chap. II, sect. A.

[8] Ibid., 1986, Supplement No. 2 (E/1986/22), chap. II, sect. A.

[9] Ibid., 1987, Supplement No. 5 and corrigenda (E/1987/18 and Corr.1 and 2), chap. II, sect. A.

[10] Ibid., 1988, Supplement No. 2 and corrigendum (E/1988/12 and Corr.1), chap. II, sect. A.

[11] Ibid., 1989, Supplement No. 2 (E/1989/20), chap. II, sect. A.

[12] Ibid., 1990, Supplement No. 2 and corrigendum (E/1990/22 and Corr.1), chap. II, sect. A.

[13] Ibid., 1991, Supplement No. 2 (E/1991/22), chap. II, sect. A.

[14] Ibid., 1992, Supplement No. 2 (E/1992/22), chap. II, sect. A.

[15] Ibid., 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

[16] Ibid., 1994, Supplement No. 4 and corrigendum (E/1994/24 and Corr.1), chap. II, sect. A.

[17] Ibid., 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

[18] Ibid., 1996, Supplement No. 3 (E/1996/23), chap. II, sect. A.

Reaffirming its resolutions 35/35 B of 14 November 1980, 36/10 of 28 October 1981, 37/42 of 3 December 1982, 38/16 of 22 November 1983, 39/18 of 23 November 1984, 40/24 of 29 November 1985, 41/100 of 4 December 1986, 42/94 of 7 December 1987, 43/105 of 8 December 1988, 44/80 of 8 December 1989, 45/131 of 14 December 1990, 46/88 of 16 December 1991, 47/83 of 16 December 1992, 48/93 of 20 December 1993, 49/148 of 23 December 1994 and 50/139 of 21 December 1995,

Taking note of the report of the Secretary-General on the right of peoples to self-determination,[19]

1. Reaffirms that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;

2. Declares its firm opposition to acts of foreign military intervention, aggression and occupation, since these have resulted in the suppression of the right of peoples to self-determination and other human rights in certain parts of the world;

3. Calls upon those States responsible to cease immediately their military intervention in and occupation of foreign countries and territories and all acts of repression, discrimination, exploitation and maltreatment, particularly the brutal and inhuman methods reportedly employed for the execution of those acts against the peoples concerned;

4. Deplores the plight of the millions of refugees and displaced persons who have been uprooted as a result of the aforementioned acts, and reaffirms their right to return to their homes voluntarily in safety and honour;

5. Requests the Commission on Human Rights to continue to give special attention to the violation of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation;

6. Requests the Secretary-General to report on this question to the General Assembly at its fifty-second session under the item entitled "Right of peoples to self-determination".

82nd plenary meeting
12 December 1996

[19] A/51/414.

UNITED NATIONS

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General Assembly

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A/RES/51/85
7 February 1997

Fifty-first session
Agenda item 110 (a)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/51/619/Add.1)]

51/85. International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

The General Assembly,

Reaffirming once more the permanent validity of the principles and norms set forth in the basic instruments regarding the international protection of human rights, in particular the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights,[2] the International Convention on the Elimination of All Forms of Racial Discrimination,[3] the Convention on the Elimination of All Forms of Discrimination against Women[4] and the Convention on the Rights of the Child,[5]

Bearing in mind the principles and norms established within the framework of the International Labour Organization and the importance of the work done in connection with migrant workers and members of their families in other specialized agencies and in various organs of the United Nations,

Reiterating that, despite the existence of an already established body of principles and norms, there is a need to make further efforts to improve

[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] Resolution 2106 A (XX), annex.

[4] Resolution 34/180, annex.

[5] Resolution 44/25, annex.

the situation and to guarantee respect for the human rights and dignity of all migrant workers and members of their families,

Aware of the situation of migrant workers and members of their families and the marked increase in migratory movements that has occurred, especially in certain parts of the world,

Considering that, in the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[6] all States are urged to guarantee the protection of the human rights of all migrant workers and members of their families,

Underlining the importance of the creation and promotion of conditions to foster greater harmony and tolerance between migrant workers and the rest of the society of the State in which they reside, with the aim of eliminating the growing manifestations of racism and xenophobia taking place in segments of many societies and perpetrated by individuals or groups against migrant workers,

Recalling its resolution 45/158 of 18 December 1990, by which it adopted and opened for signature, ratification and accession the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,

Bearing in mind that, in the Vienna Declaration and Programme of Action, States are invited to consider the possibility of signing and ratifying the Convention at the earliest possible time,

Recalling that, in its resolution 50/169 of 22 December 1995, it requested the Secretary-General to submit to it at its fifty-first session a report on the status of the Convention,

1. Expresses its deep concern at the growing manifestations of racism, xenophobia and other forms of discrimination and inhuman or degrading treatment directed against migrant workers in different parts of the world;

2. Welcomes the signature or ratification of, or accession to, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families by some Member States;

3. Calls upon all Member States to consider signing and ratifying or acceding to the Convention as a matter of priority, and expresses the hope that it will enter into force at an early date;

4. Requests the Secretary-General to provide all facilities and assistance necessary for the promotion of the Convention through the World Public Information Campaign on Human Rights and the programme of advisory services in the field of human rights;

5. Invites the organizations and agencies of the United Nations system and intergovernmental and non-governmental organizations to intensify their efforts with a view to disseminating information on and promoting understanding of the Convention;

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[6] A/CONF 157/24 (Part I), chap. III.

6. Takes note of the report of the Secretary-General,[7] and requests him to submit to it at its fifty-second session an updated report on the status of the Convention;

7. Decides to consider the report of the Secretary-General at its fifty-second session under the sub-item entitled "Implementation of human rights instruments".

82nd plenary meeting
12 December 1996

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[7] A/51/415.

UNITED NATIONS **A**

General Assembly

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GENERAL

A/RES/51/86
7 February 1997

Fifty-first session
Agenda item 110 (a)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/51/619/Add.1)]

51/86. Torture and other cruel, inhuman or degrading treatment or punishment

The General Assembly,

Recalling article 5 of the Universal Declaration of Human Rights,[1] article 7 of the International Covenant on Civil and Political Rights,[2] the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[3] and its resolution 39/46 of 10 December 1984, by which it adopted and opened for signature, ratification and accession the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and all its subsequent relevant resolutions,

Recalling its resolution 36/151 of 16 December 1981, in which it noted with deep concern that acts of torture took place in various countries, recognized the need to provide assistance to the victims in a purely humanitarian spirit and established the United Nations Voluntary Fund for Victims of Torture,

Recalling the recommendation in the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[4]

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[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] Resolution 3452 (XXX), annex.

[4] A/CONF.157/24 (Part I), chap. III.

that high priority should be given to providing the necessary resources for assistance to victims of torture and effective remedies for their physical, psychological and social rehabilitation, inter alia, by additional contributions to the Fund,

Noting with satisfaction the existence and rapid expansion of an international network of centres for the rehabilitation of torture victims, which plays an important role in providing assistance to victims of torture, and the collaboration of the Fund with the centres,

1. Welcomes the report of the Committee against Torture,[5] submitted in accordance with the provision of article 24 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

2. Notes with appreciation that during the present reporting period, eight States have become parties to the Convention, increasing the number of States parties to one hundred;

3. Urges all States that have not yet done so to become parties to the Convention as a matter of priority;

4. Invites all States ratifying or acceding to the Convention and those States which are parties to the Convention and which have not yet done so to consider joining the States parties that have already made the declarations provided for in articles 21 and 22 of the Convention and to consider the possibility of withdrawing their reservations to article 20;

5. Urges States parties to comply strictly with their obligations under the Convention, including their obligation to submit reports in accordance with article 19 of the Convention, in view of the high number of reports not submitted;

6. Calls upon all Governments to cooperate with and assist the Special Rapporteur on questions relating to torture in the performance of his task and to supply all necessary information requested by him and to react appropriately to his urgent appeals;

7. Approves the methods of work employed by the Special Rapporteur, in particular as regards urgent appeals, reiterates his need to be able to respond effectively to credible and reliable information that comes before him, invites him to continue to seek the views and comments of all concerned, including Member States, in the elaboration of his report, and expresses its appreciation of the continuing discrete and independent way in which he carries out his work;

8. Stresses the need for regular exchanges of views between the Committee against Torture, the Special Rapporteur and other relevant United Nations mechanisms and bodies, with a view to enhancing further their effectiveness and cooperation on issues relating to torture, inter alia, by improving their coordination;

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[5] Official Records of the General Assembly, Fifty-first Session, Supplement No. 44 (A/51/44).

9. Commends the office of the United Nations High Commissioner for Human Rights/Centre for Human Rights of the Secretariat for the support given to States in the preparation of national reports to the Committee;

10. Urges States parties to take fully into account the conclusions and recommendations made by the Committee after its consideration of their reports;

11. Urges all States parties to the Convention to notify the Secretary-General of their acceptance of the amendments to articles 17 and 18 of the Convention as soon as possible;

12. Encourages the open-ended working group of the Commission on Human Rights on the elaboration of a draft optional protocol to the Convention to intensify its deliberations with a view to an early conclusion of its work;

13. Expresses its gratitude and appreciation to the Governments, organizations and individuals that have already contributed to the United Nations Voluntary Fund for Victims of Torture;

14. Appeals to all Governments, organizations and individuals in a position to do so to respond favourably to requests for contributions to the Fund, if possible on a regular basis and annually before the meeting of the Board of Trustees of the Fund and if possible also with a substantial increase in the level of contributions, so that consideration may be given to the ever-increasing demand for assistance;

15. Requests the Secretary-General to transmit to all Governments the appeals of the General Assembly for contributions to the Fund;

16. Also requests the Secretary-General to continue to include the Fund on an annual basis among the programmes for which funds are pledged at the United Nations Pledging Conference for Development Activities;

17. Expresses its appreciation to the Board of Trustees of the Fund for the work it has accomplished;

18. Requests the Secretary-General to assist the Board of Trustees of the Fund in its appeal for contributions and its efforts to make better known the existence of the Fund and the financial means currently available to it, as well as in its assessment of the global need for international funding of rehabilitation services for torture victims and, in this effort, to make use of all existing possibilities, including the preparation, production and dissemination of information materials;

19. Also requests the Secretary-General to ensure the provision of adequate staff and facilities for the bodies and mechanisms that combat torture, corresponding to the strong support expressed by Member States for combating torture;

20. Invites donor countries and recipient countries that so agree to consider including in their bilateral programmes and projects relating to the training of armed forces and police personnel, as well as health-care personnel, matters relating to the protection of human rights and the prevention of torture;

21. Requests the Secretary-General to submit to the Commission on Human Rights at its fifty-third session and to the General Assembly at its fifty-third session a report on the status of the Convention as well as a report on the operations of the Fund;

22. Decides to consider the reports of the Secretary-General and the Committee against Torture at its fifty-third session under the sub-item entitled "Implementation of human rights instruments".

82nd plenary meeting
12 December 1996

UNITED NATIONS

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General Assembly

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A/RES/51/87
7 February 1997

Fifty-first session
Agenda item 110 (a)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/51/619/Add.1)]

51/87. Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

The General Assembly,

Recalling its resolution 50/170 of 22 December 1995, as well as other relevant resolutions,

Recalling also the relevant paragraphs of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[1]

Reaffirming that the full and effective implementation of United Nations human rights instruments is of major importance to the efforts of the Organization, pursuant to the Charter of the United Nations and the Universal Declaration of Human Rights,[2] to promote universal respect for and observance of human rights and fundamental freedoms,

Considering that the effective functioning of the treaty bodies established pursuant to United Nations human rights instruments is indispensable for the full and effective implementation of such instruments,

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[1] A/CONF.157/24 (Part I), chap. III.

[2] Resolution 217 A (III).

Conscious of the importance of the coordination of the human rights promotion and protection activities of the United Nations bodies active in the field of human rights,

Noting with appreciation the initiatives taken by a number of treaty bodies to elaborate early-warning measures and urgent procedures, within their mandates, with a view to preventing the occurrence, or reoccurrence, of serious human rights violations,

Expressing concern that the underresourcing of the Centre for Human Rights of the Secretariat is one impediment to the treaty bodies in their ability to carry out their mandates effectively,

Reaffirming its responsibility to ensure the effective functioning of treaty bodies, and reaffirming also the importance of:

(a) Ensuring the effective functioning of the periodic reporting by States parties to these instruments;

(b) Securing sufficient financial, human and information resources to overcome existing difficulties with their effective functioning;

(c) Promoting greater efficiency and effectiveness through better coordination of the activities of the United Nations bodies active in the field of human rights, taking into account the need to avoid unnecessary duplication and overlapping of their mandates and tasks;

(d) Addressing questions of both reporting obligations and financial implications whenever elaborating any further instruments on human rights,

Taking note of the report of the Secretary-General,[3]

1. Welcomes the report of the persons chairing the human rights treaty bodies on their seventh meeting, held at Geneva from 16 to 20 September 1996,[4] and takes note of their conclusions and recommendations;

2. Encourages greater efforts to identify measures for more effective implementation of the United Nations human rights instruments;

3. Emphasizes the need to ensure financing and adequate staff and information resources for the operations of the treaty bodies, and with this in mind:

(a) Reiterates its request that the Secretary-General provide adequate resources in respect of each treaty body;

(b) Calls upon the Secretary-General to make the most efficient use of existing resources and to seek the resources necessary to give the treaty bodies adequate administrative support, access to technical expertise and access to appropriate databases and on-line information services;

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[3] A/51/425.

[4] A/51/482, annex.

(c) Requests that the Secretary-General report on this question to the Commission on Human Rights at its fifty-third session and to the General Assembly at its fifty-second session;

4. Welcomes the continuing efforts by the treaty bodies and the Secretary-General aimed at streamlining, rationalizing, rendering more transparent and otherwise improving reporting procedures, and urges the treaty bodies and the meetings of persons chairing the treaty bodies to continue to examine ways of reducing the duplication of reporting required under the different instruments, without impairing the quality of reporting, and of generally reducing the reporting burden on Member States;

5. Requests the Secretary-General to prepare a detailed analytical study comparing the provisions of the International Covenant on Economic, Social and Cultural Rights,[5] the International Covenant on Civil and Political Rights,[5] the International Convention on the Elimination of All Forms of Racial Discrimination,[6] the Convention on the Elimination of All Forms of Discrimination against Women,[7] the Convention on the Rights of the Child[8] and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[9] with a view to identifying duplication of reporting required under these instruments;

6. Requests the United Nations High Commissioner for Human Rights, in accordance with his mandate, to encourage the independent expert to finalize his interim report on possible long-term approaches to enhancing the effective operation of the human rights treaty system[10] in time for the final report to be considered by the Commission on Human Rights, as requested by the General Assembly in its resolution 48/120 of 20 December 1993, at its fifty-third session;

7. Urges States parties to contribute, individually and through meetings of States parties, to identifying and implementing ways of further streamlining, rationalizing, avoiding duplication in and otherwise improving reporting procedures;

8. Expresses concern about the increasing backlog of reports on the implementation by States parties of United Nations instruments on human rights and about delays in consideration of reports by the treaty bodies;

9. Also expresses concern about the large number of overdue reports under the United Nations instruments on human rights, and again urges States parties to make every effort to meet their reporting obligations;

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[5] See resolution 2200 A (XXI), annex.

[6] Resolution 2106 A (XX), annex.

[7] Resolution 34/180, annex.

[8] Resolution 44/25, annex.

[9] Resolution 39/46, annex.

[10] A/CONF.157/PC/62/Add.11/Rev.1.

10. Invites States parties that have been unable to comply with the requirements to submit their initial report to avail themselves of technical assistance;

11. Requests the United Nations High Commissioner for Human Rights to ensure that the revised Manual on Human Rights Reporting is available in all official languages at the earliest opportunity;

12. Encourages the efforts of the treaty bodies to examine the progress made in achieving the fulfilment of human rights treaty undertakings by all States parties, without exception;

13. Urges States parties to address, as a matter of priority, at their next scheduled meetings, the issue of States parties consistently not complying with their reporting obligations;

14. Urges all States parties whose reports have been examined by treaty bodies to provide adequate follow-up to the observations and final comments of the treaty bodies on their reports;

15. Encourages the treaty bodies to continue to identify specific possibilities for technical assistance, to be provided at the request of the State concerned, in the regular course of their work of reviewing the periodic reports of States parties;

16. Welcomes the recommendation by the meeting of persons chairing the treaty bodies that treaty bodies urge each State party to translate, publish and make widely available in its territory the full text of the concluding observations on its reports to the treaty bodies, and requests the United Nations High Commissioner for Human Rights to make every effort to ensure that recent reports and the summary records of committee discussions pertaining to them, as well as concluding observations and final comments of the treaty bodies, are made available in the United Nations information centres in the countries submitting those reports;

17. Also welcomes the contribution to the work of the treaty bodies made by the specialized agencies and other United Nations bodies, and invites the specialized agencies, other United Nations bodies and the treaty bodies to continue to pursue further cooperation between them;

18. Further welcomes the recommendation of the persons chairing the treaty bodies that efforts continue to be made to enhance coordination and cooperation between the treaty bodies and the special rapporteurs, representatives, experts and working groups of the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities;[11]

19. Recognizes the important role played by non-governmental organizations in the effective implementation of all human rights instruments, and encourages the exchange of information between the treaty bodies and such organizations;

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[11] A/51/482, annex, para. 53.

20. Recalls, with regard to the election of the members of the treaty bodies, the importance of giving consideration to equitable geographic distribution of membership and to the representation of the principal legal systems, and of bearing in mind that the members shall be elected and shall serve in their personal capacity and be of high moral character and recognized competence in the field of human rights;

21. Encourages the Economic and Social Council, as well as its functional commissions and their subsidiary bodies, and other United Nations bodies and the specialized agencies to consider the feasibility of participation by representatives of the treaty bodies in their meetings;

22. Welcomes the continuing emphasis by the persons chairing the treaty bodies that the enjoyment of the human rights of women should be monitored closely by each treaty body within the purview of its mandate, and in this regard endorses the recommendation by the meeting of the persons chairing the treaty bodies that each treaty body should continue to consider how it might most effectively incorporate gender perspectives in its work practices;[12]

23. Also welcomes all appropriate measures the treaty bodies may take, within their mandates, in response to situations of massive human rights violations, including bringing those violations to the attention of the United Nations High Commissioner for Human Rights, the Secretary-General and the competent bodies of the United Nations in the field of human rights, and requests the High Commissioner, acting within his mandate, to coordinate and consult throughout the United Nations system in this regard;

24. Requests the Secretary-General to report to the General Assembly at its fifty-second session on measures taken to implement the present resolution and on obstacles to its implementation;

25. Decides to continue giving priority consideration, at its fifty-second session, to the conclusions and recommendations of the meetings of persons chairing treaty bodies, in the light of the deliberations of the Commission on Human Rights, under the item entitled "Human rights questions".

82nd plenary meeting
12 December 1996

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[12] Ibid., para. 60.

UNITED NATIONS **A**

General Assembly

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A/RES/51/88
7 February 1997

Fifty-first session
Agenda item 110 (a)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/51/619/Add.1)]

51/88. Commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights

The General Assembly,

Recalling that, in adopting the Universal Declaration of Human Rights[1] on 10 December 1948, it recognized the inherent dignity and equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world,

Considering that the fiftieth anniversary of the Declaration provides an opportunity for the United Nations and its Member States to redouble their efforts to promote awareness and strengthened observance of the rights set out in the Declaration,

Recognizing the Declaration as the source of inspiration and the basis of subsequent progress in the field of human rights,

Concerned that international human rights standards are not fully and universally respected, that human rights continue to be violated in all parts of the world, and that people still suffer misery and are deprived of the full enjoyment of their civil, cultural, economic, political and social rights, and convinced of the necessity to respect human rights and fundamental freedoms in all situations and to strengthen United Nations efforts in this regard,

[1] Resolution 217 A (III).

Recalling the significance and the message of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[2]

Recalling also its decision 48/416 of 10 December 1993, in which it decided to include in the provisional agenda of its fifty-third session an item entitled "Fiftieth anniversary of the Universal Declaration of Human Rights",

Having considered the report of the United Nations High Commissioner for Human Rights,[3] in particular section IX thereof entitled "1998: Human Rights Year", in which proposals to celebrate the fiftieth anniversary were made, including the convening of a ceremonial meeting of the General Assembly, and welcoming the intention of the High Commissioner to facilitate cooperation between various initiatives aimed at the commemoration of the fiftieth anniversary,

1. Requests the United Nations High Commissioner for Human Rights to continue to coordinate the preparations for the fiftieth anniversary of the Universal Declaration of Human Rights,[1] bearing in mind the provisions set out in the Vienna Declaration and Programme of Action[2] for evaluation and follow-up;

2. Invites Governments to review and assess the progress that has been made in the field of human rights since the adoption of the Universal Declaration of Human Rights, to identify obstacles and ways in which they can be overcome to achieve progress in this area, to undertake additional efforts and to develop programmes of education and information, with a view to disseminating the text of the Declaration and arriving at a better understanding of the universal message;

3. Invites the human rights treaty bodies to give appropriate attention, within their mandates and methods of work, to the fiftieth anniversary of the Declaration and to reflect on their possible contribution to the preparations;

4. Endorses the intention of the relevant United Nations organs and agencies, in the light of the purposes set forth in the Declaration , to make an assessment of and to put forward pertinent conclusions on the state of implementation and impact of existing international human rights instruments;

5. Calls upon the relevant United Nations organs and agencies, in coordination with the High Commissioner, to mark the anniversary by intensifying their own contributions to United Nations system-wide efforts to promote and protect human rights;

6. Invites non-governmental organizations and national institutions to participate fully in the preparations for the fiftieth anniversary of the Declaration, to intensify their campaign for greater understanding and better

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[2] A/CONF.157/24 (Part I), chap. III.

[3] A/51/36; see Official Records of the General Assembly, Fifty-first Session, Supplement No. 36.

use of the Declaration and to communicate their observations and recommendations to the High Commissioner;

7. Requests the Secretary-General to include in the proposed programme budget for the biennium 1998-1999 appropriate activities to celebrate the fiftieth anniversary of the Declaration;

8. Decides to convene, during its fifty-third session, a one-day plenary meeting, on 10 December 1998, to celebrate the fiftieth anniversary of the Declaration;

9. Also decides to review during its fifty-second session the state of preparations for the anniversary and to consider appropriate measures in this regard, including its own contribution.

82nd plenary meeting
12 December 1996

UNITED NATIONS **A**

General Assembly

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A/RES/51/89
7 February 1997

Fifty-first session
Agenda item 110 (b)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/51/619/Add.2)]

51/89. Respect for the right to universal freedom of travel and the vital importance of family reunification

The General Assembly,

Reaffirming that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated,

Recalling the provisions of the Universal Declaration of Human Rights,[1]

Stressing that, as stated in the Programme of Action of the International Conference on Population and Development,[2] family reunification of documented migrants is an important factor in international migration, and that remittances by documented migrants to their countries of origin often constitute a very important source of foreign exchange and are instrumental in improving the well-being of relatives left behind,

Recalling its resolution 50/175 of 22 December 1995,

1. Once again calls upon all States to guarantee the universally recognized freedom of travel to all foreign nationals legally residing in their territory;

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[1] Resolution 217 A (III).

[2] Report of the International Conference on Population and Development, Cairo, 5-13 September 1994 (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

2. Reaffirms that all Governments, particularly those of receiving countries, must recognize the vital importance of family reunification and promote its incorporation into national legislation in order to ensure protection of the unity of families of documented migrants;

3. Calls upon all States to allow, in conformity with international legislation, the free flow of financial remittances by foreign nationals residing in their territory to their relatives in the country of origin;

4. Also calls upon all States to refrain from enacting, and to repeal if it already exists, legislation intended as a coercive measure that discriminates against individuals or groups of legal migrants by adversely affecting family reunification and the right to send financial remittances to relatives in the country of origin;

5. Decides to continue its consideration of this question at its fifty-second session under the item entitled "Human rights questions".

82nd plenary meeting
12 December 1996

UNITED NATIONS **A**

General Assembly

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GENERAL

A/RES/51/90
28 February 1997

Fifty-first session
Agenda item 110 (b)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/51/619/Add.2)]

51/90. Strengthening of the office of the United Nations High Commissioner for Human Rights/Centre for Human Rights

The General Assembly,

Recalling, inter alia, its resolutions 48/141 of 20 December 1993 and 50/187 of 22 December 1995, and bearing in mind all relevant resolutions of the Economic and Social Council and the Commission on Human Rights, including Commission resolution 1996/82 of 24 April 1996,[1]

Recalling the request to the Secretary-General contained in paragraph 37 of its resolution 50/214 of 23 December 1995 to establish within the biennium 1996-1997 a new branch whose primary responsibilities would include the promotion and protection of the right to development,

Reaffirming that the promotion and protection of all human rights and fundamental freedoms must be considered as a priority objective of the United Nations in accordance with its purposes and principles, in particular the purpose of international cooperation,

Recalling that, in the Vienna Declaration and Programme of Action, the World Conference on Human Rights stressed the importance of strengthening the Centre for Human Rights of the Secretariat,[2]

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[1] See Official Records of the Economic and Social Council, 1996, Supplement No. 3 (E/1996/23), chap. II, sect. A.

[2] A/CONF.157/24 (Part I), chap. III, sect. II, para. 13.

Taking into account the fact that, in the Vienna Declaration and Programme of Action, the World Conference on Human Rights requested the Secretary-General and the General Assembly to take immediate steps to increase substantially the resources for the human rights programme, from within the existing and future regular budgets of the United Nations, and to take urgent steps to seek increased extrabudgetary resources,[3]

Taking into account also the establishment of the post of the United Nations High Commissioner for Human Rights, as well as the mandate for the post, including its coordinating role and its overall supervision of the Centre, as well as the request by the General Assembly in resolution 48/141 for appropriate staff and resources to enable the High Commissioner to fulfil his mandate,

Noting with concern that the response to the above-mentioned requests has not been commensurate with the needs, resulting in a serious and continuing imbalance between the mandates assigned to the High Commissioner and the Centre by the competent bodies of the United Nations system in the field of human rights and the resources available to fulfil all of those mandates,

Taking into account the fact that the responsibilities of the High Commissioner include engaging in a dialogue with all Governments in the implementation of his mandate with a view to the promotion and protection of all human rights, and rationalizing, adapting, strengthening and streamlining the United Nations machinery in the field of human rights with a view to improving its efficiency and effectiveness,

Taking into account also the fact that, in the Vienna Declaration and Programme of Action, the World Conference on Human Rights urged United Nations organs, bodies and the specialized agencies whose activities deal with human rights to cooperate in order to strengthen, rationalize and streamline their activities, taking into account the need to avoid unnecessary duplication,[4]

Bearing in mind that Article 101, paragraph 3, of the Charter of the United Nations states that the paramount consideration in the employment of the staff of the Secretariat and in the determination of the conditions of the service shall be the necessity of securing the highest standards of efficiency, competence and integrity, and that due regard shall be paid to the importance of recruiting the staff of the Secretariat on as wide a geographical basis as possible;

Taking note of the report of the Secretary-General on the strengthening of the office of the United Nations High Commissioner for Human Rights/Centre for Human Rights,[5] and the note by the Secretary-General on the composition

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[3] Ibid., para. 9.

[4] Ibid., para. 1.

[5] A/51/641.

of the staff of the Centre,[6] as well as the report of the High Commissioner,[7]

Taking note with appreciation of the information provided by the High Commissioner with regard to the restructuring of the Centre with a view to increasing the efficiency and effectiveness of the Centre and ensuring that all its mandates can be implemented,

Considering that this process should contribute to the strengthening of the functional framework for integrated and consolidated activities of the Secretariat in the field of human rights,

Emphasizing that, while further improvement in the functioning and efficiency of the Centre, together with a strong emphasis on good management practices, is needed in order to enable the Centre to fulfil all mandates entrusted to it and cope with its constantly increasing workload, good management practices need to be complemented by resources commensurate with mandates,

1. Supports and encourages the efforts of the Secretary-General to enhance the role and further improve the functioning of the Centre for Human Rights, as an integral part of the Secretariat of the United Nations, under the overall supervision of the United Nations High Commissioner for Human Rights;

2. Reiterates the need to ensure that all the necessary human, financial, material and personnel resources are provided from the regular budget of the United Nations without delay to the United Nations human rights programme to enable it to carry out its mandates efficiently, effectively and expeditiously, having due regard to the need to finance and implement activities of the United Nations relating to development;

3. Requests the Secretary-General to enhance the capability of the High Commissioner and the Centre to fulfil effectively their mandates and their ability to carry out mandated operational activities and to coordinate efficiently with other relevant departments of the Secretariat, as well as other organs, bodies and specialized agencies of the United Nations system, including on logistical and administrative questions;

4. Supports fully the Secretary-General and the High Commissioner in their efforts to strengthen the human rights activities of the United Nations, inter alia, through reorganization of the structure of the Centre to improve its efficiency and effectiveness;

5. Encourages increased cooperation and coordination on human rights issues between the High Commissioner, acting within his mandate, and other departments and offices of the Secretariat;

6. Emphasizes the need for full participation of the office of the United Nations High Commissioner for Human Rights/Centre for Human Rights in

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[6] A/51/650.

[7] A/51/36; see Official Records of the General Assembly, Fifty-first Session, Supplement No. 36.

all mechanisms related to the follow-up to major United Nations conferences, in particular the inter-agency task forces established for this purpose;

7. Requests the High Commissioner to continue to provide information and exchange of views with all States on a regular basis on the ongoing process of restructuring the Centre, inter alia, through informal open briefing sessions;

8. Encourages the High Commissioner, within his mandate as set out in General Assembly resolution 48/141, to continue to play an active role in promoting and protecting human rights, including by preventing human rights violations throughout the world, and in this context requests the Secretary-General to support activities proposed by the High Commissioner;

9. Decides to continue its consideration of this question at its fifty-second session under the item entitled "Human rights questions".

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Fifty-first session
Agenda item 110 (b)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/51/619/Add.2)]

51/91. Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

The General Assembly,

Recalling its resolution 47/135 of 18 December 1992, as well as its subsequent resolutions on the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,

Concerned by the growing frequency and severity of disputes and conflicts concerning minorities in many countries, and their often tragic consequences, and concerned also that persons belonging to minorities are particularly vulnerable to displacement through, inter alia, population transfers, refugee flows and forced relocation,

Considering that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to political and social stability and peace and enrich the cultural heritage of society as a whole in the States in which such persons live,

Noting that the Working Group on Minorities of the Subcommission on Prevention of Discrimination and Protection of Minorities held its second session from 30 April to 3 May 1996 and that its report will be made available to the Commission on Human Rights,

Acknowledging that the United Nations has an increasingly important role to play regarding the protection of minorities,

1. Takes note with appreciation of the report of the Secretary-General;[1]

2. Reaffirms the obligation of States to ensure that persons belonging to minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law in accordance with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;

3. Urges States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities, as set out in the Declaration, including through the facilitation of their participation in all aspects of the political, economic, social, religious and cultural life of society and in the economic progress and development of their country;

4. Recognizes that respect for human rights and the promotion of understanding and tolerance by Governments as well as between and among minorities is central to the protection and promotion of the rights of persons belonging to minorities;

5. Urges States to take, as appropriate, all the necessary constitutional, legislative, administrative and other measures to promote and give effect to the principles contained in the Declaration;

6. Appeals to States to make bilateral and multilateral efforts, as appropriate, in order to protect the rights of persons belonging to national or ethnic, religious and linguistic minorities in their countries, in accordance with the Declaration;

7. Calls upon the Secretary-General to make available, at the request of Governments concerned, qualified expertise on minority issues, including the prevention and resolution of disputes, to assist in existing or potential situations involving minorities;

8. Welcomes the activities of the United Nations High Commissioner for Human Rights relating to the promotion and protection of the rights of persons belonging to minorities and, in accordance with his mandate, calls upon him to promote the implementation of the Declaration and to continue to engage in a dialogue with Governments concerned for that purpose;

9. Requests the High Commissioner to continue his efforts to improve the coordination and cooperation of United Nations programmes and agencies which deal with minority issues in activities related to the promotion and protection of the rights of persons belonging to minorities;

10. Urges all treaty bodies to give due regard, within their respective mandates, to the promotion and protection of the rights of persons belonging to minorities;

11. Calls upon States to continue to include in their reports to treaty bodies, in accordance with the relevant conventions, information on

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[1] A/51/536.

measures taken for the promotion and protection of the rights of persons belonging to minorities;

12. Calls upon all special representatives, special rapporteurs and working groups of the Commission on Human Rights to continue to give attention, within their respective mandates, to situations involving minorities;

13. Encourages intergovernmental and non-governmental organizations to continue to contribute to the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities;

14. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the present resolution under the item entitled "Human rights questions".

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12 December 1996

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/51/619/Add.2)]

51/92. Extrajudicial, summary or arbitrary executions

The General Assembly,

Considering that the subject of extrajudicial, summary or arbitrary executions has been discussed in the United Nations for many years[1] within the framework of discussions on human rights based on the general recognition of the right to life of every person as guaranteed by the Universal Declaration of Human Rights,[2] the provisions of the International Covenant on Civil and Political Rights[3] and a large number of other international human rights instruments, that extrajudicial, summary or arbitrary executions can be fought effectively only through a genuine will on the part of Governments to enforce the safeguards and guarantees for the protection of the right to life of every person, that declarations of commitment to the protection of the right to life by Governments are only effective if they are translated into practice and respected by all and that, if the aim is protection of the right to life, the emphasis must be on prevention of all forms of violations of this fundamental right,

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[1] The most recent resolutions are General Assembly resolution 49/191 and Commission on Human Rights resolution 1996/74 (for the latter, see Official Records of the Economic and Social Council, 1996, Supplement No. 3 (E/1996/23), chap. II, sect. A.).

[2] Resolution 217 A (III).

[3] See resolution 2200 A (XXI), annex.

1. Strongly condemns once again all the extrajudicial, summary or arbitrary executions that continue to take place throughout the world;

2. Demands that all Governments ensure that the practice of extrajudicial, summary or arbitrary executions be brought to an end and that they take effective action to combat and eliminate the phenomenon in all its forms;

3. Reiterates the obligation of all Governments to conduct exhaustive and impartial investigations into all suspected cases of extrajudicial, arbitrary or summary executions, to identify and bring to justice those responsible, to grant adequate compensation to the victims or their families and to adopt all necessary measures to prevent the recurrence of such executions;

4. Reiterates also that the Special Rapporteur of the Commission on Human Rights on extrajudicial, summary or arbitrary executions needs to be able to respond effectively to credible and reliable information that comes before him, and invites him to continue to seek the views and comments of all concerned, including Member States, in the elaboration of his report;

5. Reaffirms Economic and Social Council decision 1995/284 of 25 July 1995, in which the Council approved the decision of the Commission on Human Rights in its resolution 1995/73 of 8 March 1995[4] to extend the mandate of the Special Rapporteur on extrajudicial, summary or arbitrary executions for a three-year period, and recommends that the Commission at its fifty-fourth session continue his mandate;

6. Takes note of the interim report of the Special Rapporteur;[5]

7. Notes the important role the Special Rapporteur has played towards the elimination of extrajudicial, summary or arbitrary executions;

8. Notes that the Commission on Human Rights, in its resolution 1996/74,[6] requested the Special Rapporteur, in carrying out his mandate:

(a) To continue to examine situations of extrajudicial, summary or arbitrary executions and to submit his findings, together with conclusions and recommendations, to the Commission, as well as such other reports as the Special Rapporteur deems necessary in order to keep the Commission informed about such serious situations of extrajudicial, summary or arbitrary executions that warrant its immediate attention;

(b) To respond effectively to information that comes before him, in particular when an extrajudicial, summary or arbitrary execution is imminent or threatened, or when such an execution has occurred;

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[4] See Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

[5] A/51/457, annex.

[6] See Official Records of the Economic and Social Council, 1996, Supplement No. 3 (E/1996/23), chap. II, sect. A.

(c) To enhance further his dialogue with Governments, as well as to follow up on recommendations made in reports after visits to particular countries;

(d) To continue to pay special attention to extrajudicial, summary or arbitrary executions of children and women and to allegations concerning violations of the right to life in the context of violence against participants in demonstrations and other peaceful public manifestations or against persons belonging to minorities;

(e) To pay special attention to extrajudicial, summary or arbitrary executions where the victims are individuals who are carrying out peaceful activities in the defence of human rights and fundamental freedoms;

(f) To continue monitoring the implementation of existing international standards on safeguards and restrictions relating to the imposition of capital punishment, bearing in mind the comments made by the Human Rights Committee[7] in its interpretation of article 6 of the International Covenant on Civil and Political Rights,[8] as well as the Second Optional Protocol thereto;[8]

(g) To apply a gender perspective in his work;

9. Strongly urges all Governments to respond to the communications transmitted to them by the Special Rapporteur, and urges them and all others concerned to cooperate with and assist the Special Rapporteur so that he may carry out his mandate effectively, including, where appropriate, by issuing invitations to the Special Rapporteur when he so requests;

10. Encourages Governments, international organizations and non-governmental organizations to organize training programmes and to support projects with a view to training or educating military forces, law enforcement officers and government officials, as well as members of the United Nations peacekeeping or observer missions, in human rights and humanitarian law issues connected with their work, and appeals to the international community to support endeavours to that end;

11. Urges the Special Rapporteur to continue to draw to the attention of the United Nations High Commissioner for Human Rights such situations of extrajudicial, summary or arbitrary executions as are of particularly serious concern to him or where early action might prevent further deterioration;

12. Welcomes the cooperation established between the Special Rapporteur and other United Nations mechanisms and procedures in the field of human rights, as well as with medical and forensic experts, and encourages the Special Rapporteur to continue efforts in this regard;

13. Encourages the Governments of all States in which the death penalty has not been abolished to comply with their obligations under the relevant provisions of international human rights instruments, taking into

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[7] See A/51/40, paras. 396-399; see Official Records of the General Assembly, Fifty-first Session, Supplement No. 40.

[8] Resolution 44/128, annex.

account the safeguards and guarantees referred to in Economic and Social Council resolutions 1984/50 of 25 May 1984 and 1989/64 of 24 May 1989;

14. Requests the Secretary-General to inform the Commission on Human Rights of tne implementation of Economic and Social Council decision 1995/284, keeping in mind the comments on this matter by the Special Rapporteur in his report,[9] in order to enable him to carry out his mandate effectively, including through country visits;

15. Again requests the Secretary-General to continue to use his best endeavours in cases where the minimum standard of legal safeguards provided for in articles 6, 9, 14 and 15 of the International Covenant on Civil and Political Rights appears not to have been respected;

16. Requests the Special Rapporteur to submit to the General Assembly at its fifty-third session an interim report on the situation worldwide in regard to extrajudicial, summary or arbitrary executions and his recommendations for more effective action to combat that phenomenon.

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[9] E/CN.4/1996/4, para. 619.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/51/619/Add.2)]

51/93. Elimination of all forms of religious intolerance

The General Assembly,

Recalling that all States have pledged themselves, under the Charter of the United Nations, to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming that discrimination against human beings on the grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter,

Reaffirming its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recalling article 18 of the International Covenant on Civil and Political Rights,[1]

Emphasizing that the right to freedom of thought, conscience, religion and belief is far-reaching and profound and that it encompasses freedom of thought on all matters, personal conviction and the commitment to religion or belief, whether manifested individually or in community with others,

Reaffirming the call of the World Conference on Human Rights for all Governments to take all appropriate measures in compliance with their

[1] See resolution 2200 A (XXI), annex.

international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression and religion,[2]

Calling upon all Governments to cooperate with the Special Rapporteur of the Commission on Human Rights on religious intolerance to enable him to carry out his mandate fully,

Alarmed that serious instances of intolerance and discrimination on the grounds of religion or belief, including acts of violence, intimidation and coercion motivated by religious intolerance, occur in many parts of the world and threaten the enjoyment of human rights and fundamental freedoms,

Deeply concerned that, as reported by the Special Rapporteur, the rights violated on religious grounds include the right to life, the right to physical integrity and to liberty and security of person, the right to freedom of expression, the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment and the right not to be arbitrarily arrested or detained,[3]

1. Reaffirms that freedom of thought, conscience, religion and belief is a human right derived from the inherent dignity of the human person and guaranteed to all without discrimination;

2. Urges States to ensure that their constitutional and legal systems provide adequate and effective guarantees of freedom of thought, conscience, religion and belief, including the provision of effective remedies in cases where the right to freedom of religion or belief is violated;

3. Also urges States to ensure, in particular, that no one within their jurisdiction is, because of their religion or belief, deprived of the right to life or the right to liberty and security of person, or subjected to torture or arbitrary arrest or detention;

4. Further urges States, in conformity with international standards of human rights, to take all necessary action to prevent such instances, to take all appropriate measures to combat hatred, intolerance and acts of violence, intimidation and coercion motivated by religious intolerance and to encourage, through the educational system and by other means, understanding, tolerance and respect in matters relating to freedom of religion or belief;

5. Recognizes that legislation alone is not enough to prevent violations of human rights, including the right to freedom of religion or belief;

6. Emphasizes that, as underlined by the Human Rights Committee, restrictions on the freedom to manifest religion or belief are permitted only if limitations are prescribed by law, are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others, and

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[2] See A/CONF.157/24 (Part I), chap. III, sect. II, para. 22.

[3] See E/CN.4/1994/79, para. 103.

are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion;

7. Urges States to ensure that, in the course of their official duties, members of law enforcement bodies, civil servants, educators and other public officials respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs;

8. Calls upon all States to recognize, as provided in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the right of all persons to worship or assemble in connection with a religion or belief and to establish and maintain places for those purposes;

9. Expresses its grave concern at any attack upon religious places, sites and shrines, and calls upon all States, in accordance with their national legislation and in conformity with international human rights standards, to exert utmost efforts to ensure that such places, sites and shrines are fully respected and protected;

10. Recognizes that the exercise of tolerance and non-discrimination by persons and groups is necessary for the full realization of the aims of the Declaration;

11. Encourages the continued efforts on the part of the Special Rapporteur of the Commission on Human Rights on religious intolerance, appointed to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate;

12. Encourages Governments to give serious consideration to inviting the Special Rapporteur to visit their countries so as to enable him to fulfil his mandate even more effectively;

13. Also encourages Governments, when seeking the assistance of the United Nations programme of advisory services and technical assistance in the field of human rights, to consider, where appropriate, including requests for assistance in the field of the promotion and protection of the right to freedom of thought, conscience and religion;

14. Welcomes and encourages the efforts of non-governmental organizations and religious bodies and groups to promote the implementation of the Declaration, and invites them to consider what further contribution they could make to its implementation and dissemination in all parts of the world;

15. Requests the Commission on Human Rights to continue its consideration of measures to implement the Declaration;

16. Requests the Special Rapporteur to submit an interim report to the General Assembly at its fifty-second session;

17. Requests the Secretary-General to ensure that the Special Rapporteur receives the necessary staffing, financial and material resources to enable him to discharge in full and on time his mandate;

18. Decides to consider the question of the elimination of all forms of religious intolerance at its fifty-second session under the item entitled "Human rights questions".

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12 December 1996

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/51/619/Add.2)]

51/94. Question of enforced or involuntary disappearances

The General Assembly,

Guided by the purposes and principles set forth in the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and the other relevant international human rights instruments,

Recalling its resolution 33/173 of 20 December 1978 concerning disappeared persons and its resolutions 46/125 of 17 December 1991, 47/132 of 18 December 1992 and 49/193 of 23 December 1994 on the question of enforced or involuntary disappearances,

Recalling also its resolution 47/133 of 18 December 1992 proclaiming the Declaration on the Protection of All Persons from Enforced Disappearance as a body of principles for all States,

Expressing concern that, according to the Working Group on Enforced or Involuntary Disappearances, the practice of a number of States can run counter to the Declaration,

Deeply concerned, in particular, by the intensification of enforced disappearances in various regions of the world and by the growing number of

[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

reports concerning harassment, ill-treatment and intimidation of witnesses of disappearances or relatives of persons who have disappeared,

Convinced that further efforts are needed to promote wider awareness of and respect for the Declaration, and taking note in this regard of the report of the Secretary-General,[3]

Bearing in mind Commission on Human Rights resolution 1996/30 of 19 April 1996,[4]

1. Reaffirms that any act of enforced disappearance is an offence to human dignity and a grave and flagrant violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights[1] and reaffirmed and developed in other international instruments in this field, as well as a violation of the rules of international law;

2. Reiterates its invitation to all Governments to take appropriate legislative or other steps to prevent and suppress the practice of enforced disappearances, in keeping with the Declaration on the Protection of All Persons from Enforced Disappearance, and to take action to that end at the national and regional levels and in cooperation with the United Nations, including through technical assistance;

3. Calls upon Governments to take steps to ensure that, when a state of emergency is introduced, the protection of human rights is ensured, in particular as regards the prevention of enforced disappearances;

4. Reminds Governments of the need to ensure that their competent authorities conduct prompt and impartial inquiries in all circumstances, whenever there is reason to believe that an enforced disappearance has occurred in territory under their jurisdiction, and that, if allegations are confirmed, perpetrators should be prosecuted;

5. Once again urges the Governments concerned to take steps to protect the families of disappeared persons against any intimidation or ill-treatment to which they might be subjected;

6. Encourages States, as some have already done, to provide concrete information on measures taken to give effect to the Declaration, as well as obstacles encountered;

7. Requests all States to consider the possibility of disseminating the text of the Declaration in their respective national languages and to facilitate its dissemination in the national and local languages;

8. Notes the action taken by non-governmental organizations to encourage implementation of the Declaration, and invites them to continue to facilitate its dissemination and to contribute to the work of the Subcommission on Prevention of Discrimination and Protection of Minorities;

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[3] A/51/561.

[4] See Official Records of the Economic and Social Council, 1996, Supplement No. 3 (E/1996/23), chap. II, sect. A.

9. Expresses its appreciation to the Working Group on Enforced or Involuntary Disappearances for its humanitarian work;

10. Requests the Working Group, in the continued exercise of its mandate, to take into account the provisions of the Declaration and to modify its working methods, if necessary;

11. Recalls that the primary role of the Working Group, as described in its reports, is to act as a channel of communication between the families of disappeared persons and the Governments concerned, with a view to ensuring that sufficiently documented and clearly identified individual cases are investigated, and to ascertain whether such information falls under its mandate and contains the required elements, and invites the Group to continue to seek the views and comments of all concerned, including Member States, in preparing its report;

12. Invites the Working Group to identify obstacles to the realization of the provisions of the Declaration, to recommend ways of overcoming those obstacles and, in this regard, to continue a dialogue with Governments and relevant intergovernmental and non-governmental organizations;

13. Further encourages the Working Group to continue to consider the question of impunity, in close collaboration with the rapporteur appointed by the Subcommission and with due regard for the relevant provisions of the Declaration;

14. Requests the Working Group to pay the utmost attention to cases of children subjected to enforced disappearance and children of disappeared persons and to cooperate closely with the Governments concerned to search for and identify those children;

15. Appeals to the Governments concerned, in particular those which have not yet replied to the communications transmitted by the Working Group, to cooperate fully with it and, in particular, to reply promptly to its requests for information so that, while respecting its working methods based on discretion, it may perform its strictly humanitarian role;

16. Encourages the Governments concerned to give serious consideration to inviting the Working Group to visit their countries so as to enable the Group to fulfil its mandate even more effectively;

17. Expresses its profound thanks to the many Governments that have cooperated with the Working Group and replied to its requests for information, and to the Governments that have invited the Group to visit their countries, asks them to give all necessary attention to the recommendations of the Group, and invites them to inform the Group of any action they take on those recommendations;

18. Calls upon the Commission on Human Rights to continue to study this question as a matter of priority and to take any steps it may deem necessary to the pursuit of the task of the Working Group and to the follow-up of its recommendations when it considers the report to be submitted by the Working Group to the Commission at its fifty-third session;

19. Renews its requests to the Secretary-General to continue to provide the Working Group with all the facilities it requires to perform its functions, especially for carrying out missions and following them up;

20. Requests the Secretary-General to keep it informed of the steps he takes to secure the widespread dissemination and promotion of the Declaration;

21. Also requests the Secretary-General to submit to it at its fifty-third session a report on the steps taken to implement the present resolution;

22. Decides to consider the question of enforced disappearances, and in particular the implementation of the Declaration, at its fifty-third session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

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12 December 1996

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[on the report of the Third Committee (A/51/619/Add.2)]

51/95. Follow-up to the United Nations Year for Tolerance

The General Assembly,

Recalling its resolutions 47/124 of 18 December 1992, 48/126 of 20 December 1993 and 49/213 of 23 December 1994, by which it proclaimed and supported the United Nations Year for Tolerance,

Recalling also that the Charter of the United Nations affirms in its preamble that to practice tolerance is one of the principles to be applied to attain the ends pursued by the United Nations of preventing war and maintaining peace,

Stressing that one of the purposes of the United Nations, as set forth in the Charter, is the achievement of international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Bearing in mind the Universal Declaration of Human Rights,[1] the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[2] and the International Covenants on Human Rights,[3]

[1] Resolution 217 A (III).

[2] A/CONF.157/24 (Part I), chap. III.

[3] Resolution 2200 A (XXI), annex.

Reconfirming that tolerance is the sound foundation of any civil society and of peace,

Taking note of the note by the Secretary-General[4] transmitting the final report on the United Nations Year for Tolerance, including the Declaration of Principles on Tolerance and the Follow-up Plan of Action for the United Nations Year for Tolerance, submitted to him by the United Nations Educational, Scientific and Cultural Organization as requested by the General Assembly in its resolution 49/213,

Taking note also of resolution 5.6 adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its twenty-eighth session,[5]

1. Welcomes the role played by the United Nations Educational, Scientific and Cultural Organization in the preparation for and implementation of the United Nations Year for Tolerance;

2. Takes note of the Declaration of Principles on Tolerance and the Follow-up Plan of Action for the United Nations Year for Tolerance, adopted by the States members of the United Nations Educational, Scientific and Cultural Organization on 16 November 1995;[4]

3. Expresses its appreciation for the contribution of the regional conferences on tolerance and other relevant activities organized during the United Nations Year for Tolerance at Rio de Janeiro (Brazil), Seoul (Republic of Korea), Sienna (Italy), Carthage (Tunisia), New Delhi (India), Moscow and Yakutsk (Russian Federation), Tbilisi (Georgia) and Istanbul (Turkey) to the Declaration of Principles and the Follow-up Plan of Action for the promotion of tolerance;

4. Invites the United Nations Educational, Scientific and Cultural Organization to take appropriate initiatives, including holding regional meetings, to assure the follow-up and implementation of the outcome of the regional conferences organized during the United Nations Year for Tolerance and to promote further the spirit instigated by those conferences;

5. Invites Member States to consider applying the Declaration of Principles at the national level and to continue to undertake public information campaigns in connection with the Follow-up Plan of Action aimed at the realization of more tolerant societies;

6. Also invites Member States to observe the International Day for Tolerance annually on 16 November with appropriate activities directed towards both educational establishments and the wider public;

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[4] A/51/201.

[5] See United Nations Educational, Scientific and Cultural Organization, Records of the General Conference, Twenty-eighth Session, Paris, 25 October-16 November 1995, vol. 1, Resolutions, sect. IV.

7. Encourages the United Nations Educational, Scientific and Cultural Organization to continue its activities aimed at reinforcing the struggle against the rise of intolerance;

8. Recommends that interested intergovernmental and non-governmental organizations and specialized agencies exert efforts in their respective fields to contribute to the long-term follow-up programme for the United Nations Year for Tolerance, including celebration of the International Day for Tolerance, and to consider what further contributions they can make to implement and disseminate the standards affirmed in the Declaration of Principles;

9. Requests the United Nations Educational, Scientific and Cultural Organization to continue to coordinate actions in support of tolerance promotion and education in partnership with other United Nations agencies and regional, intergovernmental and non-governmental organizations and to make reports available to the General Assembly on a biennial basis on the implementation of the Declaration of Principles and the Follow-up Plan of Action;

10. Invites the United Nations Educational, Scientific and Cultural Organization to consider, at an appropriate time, the possibility of organizing an international conference to inform and mobilize public opinion, as well as the United Nations system, in this regard;

11. Decides to consider the question of the follow-up to the United Nations Year for Tolerance at its fifty-third session.

82nd plenary meeting
12 December 1996

UNITED NATIONS **A**

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A/RES/51/96
3 March 1997

Fifty-first session
Agenda item 110 (b)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/51/619/Add.2)]

51/96. Strengthening of the rule of law

The General Assembly,

Recalling that, by adopting the Universal Declaration of Human Rights,[1] Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Firmly convinced that the rule of law is an essential factor in the protection of human rights, as stressed in the Universal Declaration of Human Rights, and should continue to attract the attention of the international community,

Convinced that through their own national legal and judicial systems States must provide appropriate civil, criminal and administrative remedies for violations of human rights,

Recognizing the importance of the role that can be played by the Centre for Human Rights of the Secretariat in supporting national efforts to strengthen the institutions of the rule of law,

Bearing in mind that, in its resolution 48/141 of 20 December 1993, the General Assembly entrusted the United Nations High Commissioner for Human Rights with, inter alia, providing through the Centre and other appropriate institutions advisory services and technical and financial assistance in the field of human rights, enhancing international cooperation for the promotion

[1] Resolution 217 A (III).

and protection of all human rights and coordinating human rights activities throughout the United Nations system,

Recalling the recommendation of the World Conference on Human Rights that a comprehensive programme be established within the United Nations and under the coordination of the Centre with a view to helping States in the task of building and strengthening adequate national structures that have a direct impact on the overall observance of human rights and the maintenance of the rule of law,[2]

Recognizing that the High Commissioner/Centre for Human Rights remains the focal point for coordinating system-wide attention for human rights, democracy and the rule of law,

Recalling its resolution 50/179 of 22 December 1995, and taking note of Commission on Human Rights resolution 1996/56 of 19 April 1996,[3]

1. Takes note with satisfaction of the report of the Secretary-General;[4]

2. Takes note with interest of the proposals contained in the report of the Secretary-General for strengthening the programme of advisory services and technical assistance of the Centre for Human Rights of the Secretariat in order to comply fully with the recommendations of the World Conference on Human Rights concerning assistance to States in strengthening their institutions which uphold the rule of law;

3. Praises the efforts made by the United Nations High Commissioner for Human Rights and the Centre to accomplish their ever-increasing tasks with the limited financial and personnel resources at their disposal;

4. Expresses its deep concern at the scarcity of means at the disposal of the Centre for the fulfilment of its tasks;

5. Notes that the programme of advisory services and technical assistance does not have assistance funds sufficient to provide any substantial financial assistance to national projects that have a direct impact on the realization of human rights and the maintenance of the rule of law in countries that are committed to those ends but that face economic hardship;

6. Welcomes the consultations and contacts initiated by the High Commissioner with other relevant bodies and programmes of the United Nations system aiming at the enhancement of inter-agency coordination and cooperation in providing assistance for the strengthening of the rule of law;

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[2] See A/CONF.157/24 (Part I), chap. III, sect. II, para. 69.

[3] See Official Records of the Economic and Social Council, 1996, Supplement No. 3 (E/1996/23), chap. II, sect. A.

[4] A/51/555.

7. Encourages the High Commissioner to pursue these consultations, taking into account the need to explore new synergies with other organs and agencies of the United Nations system with a view to obtaining increased financial assistance for human rights and the rule of law;

8. Also encourages the High Commissioner to continue to explore the possibility of further contact with and support of financial institutions, acting within their mandates, with a view to obtaining technical and financial means to strengthen the capacity of the Centre to provide assistance to national projects aiming at the realization of human rights and the maintenance of the rule of law;

9. Requests the High Commissioner to accord high priority to the technical cooperation activities undertaken by the Centre with regard to the rule of law;

10. Takes note with appreciation of the proposal of the High Commissioner to convene a high-level meeting of relevant United Nations agencies and programmes, in order to analyse means, modalities, financing and allocation of responsibilities for the implementation of a comprehensive United Nations programme of assistance for the rule of law, taking into account the experience of the technical cooperation programme of the Centre;

11. Requests the Secretary-General to submit a report to the General Assembly at its fifty-second session on the results of the contacts established in accordance with the present resolution, as well as on any other developments pertaining to the implementation of the above-mentioned recommendation of the World Conference on Human Rights.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/51/619/Add.2)]

51/97. Human rights and extreme poverty

The General Assembly,

Reaffirming the Universal Declaration of Human Rights,[1] the International Covenant on Civil and Political Rights,[2] the International Covenant on Economic, Social and Cultural Rights[2] and other human rights instruments adopted by the United Nations,

Considering the relevant provisions of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[3] and of the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development, adopted by the World Summit on 12 March 1995,[4]

Recalling its resolutions 44/148 of 15 December 1989, 44/212 of 22 December 1989, 45/199 of 21 December 1990, 49/179 of 23 December 1994 and other relevant resolutions,

Recalling also its resolutions 47/196 of 22 December 1992, by which it declared 17 October International Day for the Eradication of Poverty, 48/183 of 21 December 1993, by which it proclaimed 1996 International Year for the

[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] A/CONF.157/24 (Part I), chap. III.

[4] A/CONF.166/9, chap. I, resolution 1, annexes I and II.

Eradication of Poverty, and 50/107 of 20 December 1995, by which it proclaimed the first United Nations Decade for the Eradication of Poverty (1997-2006),

Bearing in mind Commission on Human Rights resolutions 1992/11 of 21 February 1992,[5] 1993/13 of 26 February 1993,[6] 1994/12 of 25 February 1994,[7] 1995/16 of 24 February 1995[8] and 1996/10 of 11 April 1996,[9] as well as resolution 1996/23 of 29 August 1996 of the Subcommission on Prevention of Discrimination and Protection of Minorities,[10]

Recalling its resolution 47/134 of 18 December 1992, in which it reaffirmed that extreme poverty and exclusion from society constituted a violation of human dignity and stressed the need for a complete and in-depth study of extreme poverty, based on the experience and the thoughts of the poorest,

Recognizing that the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights and might, in some situations, constitute a threat to the right to life,

Deeply concerned that extreme poverty continues to spread in all countries of the world, regardless of their economic, social and cultural situation, and seriously affects the most vulnerable and disadvantaged individuals, families and groups, who are thus hindered in the exercise of their human rights and their fundamental freedoms,

Recognizing that the elimination of widespread poverty and the full enjoyment of economic, social and cultural rights are interrelated goals,

Welcoming the work of the Special Rapporteur on the question of human rights and extreme poverty, and taking into account his final report,[11]

1. Reaffirms that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them;

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[5] See Official Records of the Economic and Social Council, 1992, Supplement No. 2 (E/1992/22), chap. II, sect. A.

[6] Ibid., 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

[7] Ibid., 1994, Supplement No. 4 and corrigendum (E/1994/24 and Corr.1), chap. II, sect. A.

[8] Ibid., 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

[9] Ibid., 1996, Supplement No. 3 (E/1996/23), chap. II, sect. A.

[10] See E/CN.4/1997/2-E/CN.4/Sub.2/1996/41, chap. II, sect. A.

[11] E/CN.4/Sub.2/1996/13.

2. Reaffirms also that, in accordance with the Vienna Declaration and Programme of Action,[3] it is essential for States to foster participation by the poorest people in the decision-making process in the communities in which they live, in the promotion of human rights and in efforts to combat extreme poverty;

3. Notes with satisfaction that the Special Rapporteur, in the process of preparing his final report,[11] has implemented the recommendations of the Commission on Human Rights by paying special attention to the efforts of the poorest themselves and the conditions in which they can convey their experiences;

4. Again calls upon States, the specialized agencies, United Nations bodies and other international organizations, including intergovernmental organizations, to give the necessary attention to this problem and to the necessary follow-up to the recommendations of the Special Rapporteur as contained in his final report;

5. Invites the United Nations High Commissioner for Human Rights, within the framework of the implementation of the United Nations Decade for the Eradication of Poverty, to give appropriate attention to the question of human rights and extreme poverty;

6. Notes with appreciation the specific action taken by the United Nations Children's Fund to mitigate the effects of extreme poverty on children and the efforts of the United Nations Development Programme to give priority to the search for some means of alleviating poverty within the framework of the relevant resolutions, and urges them to continue in this work;

7. Decides to consider this question further at its fifty-third session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

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[on the report of the Third Committee (A/51/619/Add.2)]

51/98. Situation of human rights in Cambodia

The General Assembly,

Guided by the purposes and principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights[1] and the International Covenants on Human Rights,[2]

Taking note of the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, signed in Paris on 23 October 1991,[3] including part III thereof, relating to human rights,

Taking note also of Commission on Human Rights resolution 1996/54 of 19 April 1996,[4] and recalling General Assembly resolution 50/178 of 22 December 1995 and previous relevant resolutions, including Commission on Human Rights resolution 1993/6 of 19 February 1993,[5] in which the Commission

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] A/46/608-S/23177, annex; see Official Records of the Security Council, Forty-sixth Year, Supplement for October, November and December 1991, document S/23177.

[4] See Official Records of the Economic and Social Council, 1996, Supplement No. 3 (E/1996/23), chap. II, sect. A.

[5] Ibid., 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

recommended the appointment of a special representative for human rights in Cambodia, and the subsequent appointment by the Secretary-General of a special representative,

Bearing in mind the role and responsibilities of the United Nations and the international community in the process of the rehabilitation and reconstruction of Cambodia,

Recognizing that the tragic recent history of Cambodia requires special measures to assure the promotion and protection of the human rights of all people in Cambodia and the non-return to the policies and practices of the past, as stipulated in the Agreement signed in Paris on 23 October 1991,

Commending the continued operation in Cambodia of the office of the Centre for Human Rights of the Secretariat,

Welcoming the understanding reached between the Special Envoy of the Secretary-General and the Government of Cambodia in May 1995 regarding increased consultations between the Centre for Human Rights and the Government of Cambodia,

1. Requests the Secretary-General, through his Special Representative for human rights in Cambodia, in collaboration with the Centre for Human Rights of the Secretariat, to assist the Government of Cambodia in ensuring the protection of the human rights of all people in Cambodia and to ensure adequate resources, from within existing resources, for the enhanced functioning of the operational presence in Cambodia of the Centre;

2. Welcomes the report of the Secretary-General[6] on the role of the Centre for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights;

3. Also welcomes the continuing role of the United Nations High Commissioner for Human Rights in the promotion and protection of human rights in Cambodia and the signing of a memorandum of understanding with the Government of Cambodia to allow the office in Cambodia of the Centre for Human Rights to continue to operate for the next two years and to maintain its technical cooperation programmes;

4. Commends the work of the former Special Representative of the Secretary-General, Mr. Michael Kirby, in promoting and protecting human rights in Cambodia, and welcomes the appointment by the Secretary-General of Mr. Thomas Hammarberg as his new Special Representative;

5. Takes note with appreciation of the report of the Special Representative,[7] and endorses his recommendations and conclusions, including those aimed at combating child prostitution and trafficking and ensuring the independence of the judiciary and the establishment of the rule of law, freedom of expression and the promotion of an effective, functioning multi-party democracy;

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[6] A/51/453.

[7] E/CN.4/1996/93.

6. Requests the Special Representative, in collaboration with the office in Cambodia of the Centre for Human Rights, to continue his evaluation of the extent to which the recommendations made by the Special Representative in his report, and those contained in reports of his predecessor, are followed up and implemented;

7. Requests the Secretary-General to provide all necessary resources, from within the regular budget of the United Nations, to enable the Special Representative to continue to fulfil his tasks expeditiously;

8. Welcomes the efforts made by the Government of Cambodia to promote and protect human rights, in particular in the area of human rights education and the essential area of creating a functioning and impartial system of justice, urges that efforts continue in this area, and encourages the Government to improve the conditions of prisons;

9. Notes that communal elections are due to be held in 1997 and National Assembly elections in 1998, and strongly urges the Government of Cambodia to promote and uphold the effective functioning of multi-party democracy, including the right to form political parties, stand for election and take part freely in a representative Government, and to freedom of expression, in accordance with the principles set out in paragraphs 2 and 4 of annex 5 to the Agreement signed in Paris on 23 October 1991;[3]

10. Welcomes the proposed measures, outlined by the Government of Cambodia in its comments[8] on the report of the Secretary-General, to ensure that the forthcoming communal and national elections are free and fair, that members of the armed forces remain neutral during the election campaign, that the individual vote is confidential and that local and international observers are welcomed;

11. Calls upon the Government of Cambodia to investigate cases of violence and intimidation directed at minor political parties and their supporters, as well as against media personnel and offices, and to bring to justice those responsible;

12. Also calls upon the Government of Cambodia to ensure fair access to government television and radio regardless of political affiliation and to ensure that the people of Cambodia have access to a variety of information, especially in the lead-up to the elections;

13. Commends the Government of Cambodia for its constructive approach to the inclusion of Cambodian human rights non-governmental organizations in the rehabilitation and reconstruction of Cambodia, and recommends that their skills be drawn upon to assist in ensuring that forthcoming elections are free and fair;

14. Expresses serious concern at the comments made by the Special Representative concerning the continuing problem of impunity, whereby the courts in several areas are reluctant or unable to charge members of the military, police and other security forces for serious criminal offences, and encourages the Government of Cambodia, as a matter of urgent priority, to

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[8] A/51/453/Add.1.

address this problem, which in effect places the military and police above the principle of equality before the law;

15. Expresses grave concern about the atrocities that continue to be committed by the Khmer Rouge, including the taking and killing of hostages and other deplorable incidents detailed in the reports of the Special Representative and his predecessor;

16. Also expresses grave concern about the serious violations of human rights as detailed in the reports of the Special Representative and his predecessor, and calls upon the Government of Cambodia to prosecute in accordance with the due process of the law and international standards relating to human rights all those who have perpetrated human rights violations;

17. Calls upon the Government of Cambodia to ensure the full observance of human rights for all persons within its jurisdiction in accordance with the International Covenants on Human Rights[2] and other human rights instruments to which Cambodia is a party;

18. Urges the Government of Cambodia to give priority attention to combating child prostitution and trafficking and, in this connection, to work with the office in Cambodia of the Centre for Human Rights and non-governmental organizations to develop an action plan;

19. Recognizes the seriousness with which the Government of Cambodia has approached the preparation of its initial reports to the relevant treaty bodies, and encourages the Government to continue its efforts to meet its reporting obligations under international human rights instruments, drawing on the assistance of the office in Cambodia of the Centre for Human Rights;

20. Encourages the Government of Cambodia to request the Centre for Human Rights to provide advice and technical assistance with respect to the creation of an independent national institution for the promotion and protection of human rights;

21. Commends the ongoing efforts of the office in Cambodia of the Centre for Human Rights in supporting and assisting the Government of Cambodia, as well as non-governmental organizations and others involved in the promotion and protection of human rights in cooperation with the Government;

22. Welcomes and encourages the efforts of individuals, non-governmental organizations, Governments and international organizations involved in human rights activities in Cambodia;

23. Notes with appreciation the use by the Secretary-General of the United Nations Trust Fund for a Human Rights Education Programme in Cambodia to finance the programme of activities of the office in Cambodia of the Centre for Human Rights as defined in resolutions of the General Assembly and the Commission on Human Rights, and invites Governments, intergovernmental and non-governmental organizations, foundations and individuals to consider contributing funds to the Trust Fund;

24. Requests the Centre for Human Rights, in cooperation with the relevant specialized agencies and development programmes, to develop and implement programmes, with the consent and cooperation of the Government of

Cambodia, in the priority areas identified by the Special Representative, paying particular attention to vulnerable groups, including women, children, disabled persons and minorities;

25. Expresses grave concern at the devastating consequences and destabilizing effects of the indiscriminate use of anti-personnel landmines on Cambodian society, encourages the Government of Cambodia to continue its support and efforts for the removal of these mines, and urges the Government to ban all anti-personnel landmines;

26. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the role of the Centre for Human Rights in assisting the Government and the people of Cambodia in the promotion and protection of human rights and on the recommendations made by the Special Representative on matters within his mandate;

27. Decides to continue its consideration of the situation of human rights in Cambodia at its fifty-second session.

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